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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,876	01/29/2004	Tae-hee Lee	1793.1098	2278

21171 7590 09/16/2008

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EXAMINER	
KHAN, ASHER R	

ART UNIT	PAPER NUMBER
2621	

MAIL DATE	DELIVERY MODE
09/16/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/765,876	LEE, TAE-HEE	
	Examiner	Art Unit	
	ASHER KHAN	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 August 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6 and 8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6 and 8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1 - 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent Pub. 2004/0001704 A1 to Chan et al. ("Chan") in view U.S. Patent 5,915,038 to Abdel-Mottaleb et al. "Abdel-Mottaleb" and in further view of U.S. Patent 5,832,170 to Keery et al. "Keery".

As to **claim 1 and 6**, Chan discloses an apparatus for playing an optical disk, comprising: a first storage (Fig. 2, 115) storing a predetermined audio stream read out from an optical disk (0005)(0040); a second storage (Fig. 2, 120) storing a target still picture corresponding to the predetermined audio stream (0005)(0040); and a controller outputting the target still picture stored in the second storage when index information (6-1 to 6-N or 7-1 to 7-N) of the target still picture is received from a user(Fig. 6)(0032)(0037), so that the second and first storages store the index information of the target still picture and the predetermined audio stream, corresponding to the index information of the target still picture, respectively (0005)(0037)(0041-0042).

Chan does not expressly disclose comparing the received index information with a maximum number of indexes included in a predetermined track of the optical disk currently being played and outputting a storage control signal based on the comparison result.

Abdel-Mottaleb discloses comparing the received index information with a maximum number (images being searched; Fig. 2, 204) of indexes included in a predetermined track of the optical disk currently being played and outputting a storage control signal (fetch and display, 32) based on the comparison result (Fig. 2; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23;Col 7, line 51-67;Col. 13, lines 29-45)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan and Abdel-Mottaleb. Motivation would have been to provide a search operation in a reproducing device to output desired image to view on a display device.

Abdel-Mottaleb does not expressly disclose image data on tracks of the optical disk and outputting storage control signal.

Keery discloses storing of image data on tracks of an optical disk (Col. 1, lines 7-22; Col 5, lines 62-67;Col. 6, lines 1-16) and outputting storage control signal (Col. 7, lines 26-33)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Keery. Rationale to combine would have been that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

As to **claim 2**, Abdel-Mottaleb further discloses wherein the controller comprises a comparator comparing the index information of the target still picture with the

maximum number of indexes included in the predetermined track and outputting the storage control signal when the index information of the target still picture has a value not larger than the maximum number of indexes included in the predetermined track (Fig. 2; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23;Col 7, line 51-67; Col. 13, lines 29-45)

As to **claim 3**, Chan discloses a method of playing an optical disk, comprising: outputting a still image designated by a predetermined index during a predetermined audio stream reproduced from an optical disk (0037); and
jumping from a current index to a predetermined index corresponding to the index information of the target still picture if the index information of the target still picture has a value not larger than the maximum number of indexes included in the predetermined track (0020)(0037).

Chan does not expressly disclose comparing index information of a target still picture with a maximum number of indexes included in a predetermined track of the optical disk currently playing when the index information of the target still picture is received from a user.

Chan does not expressly disclose comparing the received index information with a maximum number of indexes included in a predetermined track of the optical disk currently being played and outputting a storage control signal based on the comparison result.

Abdel-Mottaleb discloses comparing the received index information with a maximum number (images being searched; Fig. 2, 204) of indexes included in a

predetermined track of the optical disk currently being played and outputting a storage control signal (fetch and display, 32) based on the comparison result (Figs. 2 and 10; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23;Col 7, line 51-67;Col. 13, lines 29-45)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan with the teachings of Abdel-Mottaleb. Motivation would have been to provide a search operation in a reproducing device to output desired image to view on a display device.

Abdel-Mottaleb does not expressly disclose image data on tracks of the optical disk and outputting storage control signal.

Keery discloses storing of image data on tracks of an optical disk (Col. 1, lines 7-22; Col 5, lines 62-67;Col. 6, lines 1-16) and outputting storage control signal (Col. 7, lines 26-33)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Keery. Rationale to combine would have been that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

As to **claim 4**, Chan further discloses wherein the jumping from a current index to a predetermined index corresponding to the index information of the target still picture comprises outputting the target still picture indicated by the predetermined index, and

simultaneously reproducing an audio stream corresponding to playback time designated by the predetermined index (0003)(0020(0037).

As to **claim 5**, Chan discloses a method of playing an optical disk in an optical disk player, comprising: inputting index information of a still picture other than one currently being played (Figs. 4 and 6)(0032)(0036)(0037); storing the read still picture (0021)(0040-0042); checking playback time designated by the index information and reading audio stream data corresponding to the playback time from the optical disk (0020)(0036-0037); storing the audio stream (0021)(0040-0042); and reproducing the still picture and the audio stream (0020).

Chan does not expressly disclose comparing the input index information with a maximum number of still pictures in a first track of the optical disk and reading a still picture from the optical disk, corresponding to the input index information if the input index is less than the maximum number of still pictures in the first track.

Chan does not expressly disclose comparing the received index information with a maximum number of indexes included in a predetermined track of the optical disk currently being played and outputting a storage control signal based on the comparison result.

Abdel-Mottaleb discloses comparing the input index information with a maximum number (images being searched, Fig. 2 , 204) of still pictures in a first track of the optical disk, corresponding to the input index information if the input index is less than the maximum number of still pictures in the first track. (Fig. 2; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23;Col 7, line 51-67)

Abdel-Mottaleb discloses comparing the received index information with a maximum number (images being searched, Fig. 2 , 204) of indexes included in a predetermined track of the optical disk currently being played and outputting a storage control signal (fetch and display, 32) based on the comparison result (Fig. 2; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23;Col 7, line 51-67)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan with the teaching of Abdel-Mottaleb. Motivation would have been to provide a search operation in a reproducing device to output desired image to view on a display device.

Abdel-Mottaleb does not expressly disclose image data on tracks of the optical disk and outputting storage control signal.

Keery discloses storing of image data on tracks of an optical disk (Col. 1, lines 7-22; Col 5, lines 62-67;Col. 6, lines 1-16) and outputting storage control signal (Col. 7, lines 26-33)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Keery. Rationale to combine would have been that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent 6,833,848 to Wolff in view U.S. Patent 5,915,038 to Abdel-Mottaleb et al.

"Abdel-Mottaleb" and in further view of U.S. Patent 5,832,170 to Keery et al. "Keery".

As to **claim 8**, Wolff discloses a method of playing an optical disk in an optical disk player (Col. 2, lines 53-65), the method comprising:

inputting index information of a still picture other than one currently being played (Col. 5, lines 52-67);

reproducing the still picture and the corresponding audio stream in place of the one currently being played (Fig. 2; Col. 7, lines 34-63)

checking playback time designated by the index information and reading audio stream data corresponding to the playback time from the optical disk (Col 3, lines 33-43; Col. 6, lines 17-29; Col. 7, lines 34-63; Col. 10, lines 25-43)

Wolff does not expressly disclose comparing the input index information with a maximum number of still pictures in a first track of the optical disk and

reading a still picture from the optical disk, corresponding to the input index information if the input index is less than the maximum number of still pictures in the first track.

Abdel-Mottaleb discloses comparing the input index information with a maximum number (images being searched, Fig. 2 , 204) of still pictures in a first track of the optical disk, corresponding to the input index information if the input index is less than the maximum number of still pictures in the first track (Fig. 2; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23;Col 7, line 51-67)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Wolff with the teaching of Abdel-Mottaleb. Motivation would have

been to provide a search operation in a reproducing device to output desired image to view on a display device.

Abdel-Mottaleb does not expressly disclose image data on tracks of the optical disk and outputting storage control signal.

Keery discloses storing of image data on tracks of an optical disk (Col. 1, lines 7-22; Col 5, lines 62-67;Col. 6, lines 1-16) and outputting storage control signal (Col. 7, lines 26-33)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Wolff as modified with the teachings of Keery. Rationale to combine would have been that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHER KHAN whose telephone number is (571)270-5203. The examiner can normally be reached on 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. K./
Examiner, Art Unit 2621

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621